

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

TQ DELTA, LLC,)	
)	
Plaintiff,)	C.A. No. 13-cv-2013-RGA
)	
v.)	
)	JURY TRIAL DEMANDED
ZYXEL COMMUNICATIONS, INC.)	
and)	
ZYXEL COMMUNICATIONS)	
CORPORATION,)	
)	
Defendants.)	

**PLAINTIFF TQ DELTA, LLC’S MOTION TO DISMISS THE COUNTERCLAIMS OF
DEFENDANT ZYXEL COMMUNICATIONS, INC.**

Plaintiff TQ Delta, LLC (“TQD”) respectfully moves the Court pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6) to dismiss with prejudice both counterclaims from Defendant Zyxel Communications, Inc.’s (“ZyXEL”) Answer, Affirmative Defenses And Counterclaims To Plaintiff’s Complaint For Patent Infringement. The specific grounds for this motion are set forth in the concurrently-filed opening brief.

DATED: February 24, 2014

Respectfully submitted,

FARNAN LLP

/s/ Brian E. Farnan
Brian E. Farnan (Bar No. 4089)
Michael J. Farnan (Bar No. 5165)
919 North Market Street, 12th Floor
Wilmington, Delaware 19801
(302) 777-0300
(302) 777-0301 (Fax)
bfarnan@farnanlaw.com
mfarnan@farnanlaw.com

Peter J. McAndrews (admitted pro hac vice)
Timothy J. Malloy (admitted pro hac vice)

Thomas J. Wimbiscus (admitted pro hac vice)

Sharon A. Hwang (admitted pro hac vice)

Paul W. McAndrews (admitted pro hac vice)

Anna M. Targowska (admitted pro hac vice)

MCANDREWS, HELD & MALLOY, LTD.

500 West Madison Street, 34th Floor

Chicago, Illinois 60661

(312) 775-8000

(312) 775-8100 (Fax)

pmcandrews@mcandrews-ip.com

Counsel for Plaintiff TQ Delta, LLC